

**From:** Sengupta, Art [<mailto:Art.Sengupta@dep.state.fl.us>]

**Sent:** Wednesday, November 27, 2013 8:38 AM

**To:** Englander, Jana

**Cc:** Owete, Owete; Hoffman, Stephen; Dufficy, Craig; Kelly, PatrickM; Markey, Richard M.; Musgrove, Richard; Priddle, Rebecca

**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

Dear Jana:

Thanks for letting us review the report on the three Coal Ash plants in Florida. Sorry, it took me some time to respond as I was not familiar with the site. After reading the reports, I had concerns and therefore contacted Ed Markey of Gulf Power. He does not feel comfortable with the comments from your consultants. The following is a summary of his comments.

Plant Crist:

**This is not responsive to FOIA request**

9. Ash Pond comments – as mentioned on the phone the “ash pond” is really no longer an ash pond. We no longer receive ash in the pond. We are going to start dredging the last minor bit of ash out of the pond and have it re-classified as an industrial wastewater pond as it truly is. With it not being an ash impoundment, no review was really required. In addition, this pond has been in service for many years and it has been through numerous hurricanes with no adverse effects. The historical view of the site should be considered.

**This is not responsive to FOIA request**

**This is not responsive to FOIA request**

In view of the above, I am requesting for an onsite meeting with CDM to resolve the issues. I will be available for the meeting. Please let me know of the possible days when your consultant will be available for discussion. You had also mentioned about the State of Florida taking over the monitoring responsibilities and future inspections. We can discuss about that in the meeting.

Sincerely,

art

*Art Sengupta. PE, PG, PMP  
State Dam Safety Officer  
Professional Engineer III  
Engineering, Hydrology & Geology Program  
Division of Water Resource Management  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS 3595  
Tallahassee, FL 32399  
Phone: 850-245-8491 (office)  
850-274-3636 (cell)  
Fax: (850) 412-0553*

**Kelly, PatrickM**

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**From:** Kelly, PatrickM  
**Sent:** Wednesday, February 26, 2014 9:13 AM  
**To:** Dufficy, Craig  
**Subject:** RE: Gulf Power Plant Crist- Review of comments to be sent to Betsy

We need a letter or some document from FDEP stating that the unit is under formal agreement to be closed as a CCR unit with the intention of being reclassified as a wastewater treatment pond.

- 1) The Ash Pond no longer actively receives any CCR materials and is now used as a wastewater treatment pond. The plant is currently dredging the remaining ash out of the pond in coordination with the State of Florida Department of Environmental Protection (FDEP) with the intention of formally reclassifying the pond with the State of Florida under the NPDES permit program as an industrial wastewater treatment pond. Once dredging is complete, FDEP will re-classify the pond as a industrial wastewater treatment pond. The ash pond's FOS for liquefaction is okay, but the FOS for steady-state condition at normal pool and rapid drawdown condition from the normal pool loading conditions are 1.4, below our recommended FOS of 1.5. Since the pond is currently being dredged out and is under the supervision of FDEP, we feel that no additional action is warranted. EPA is requesting documentation from FDEP stating that Gulf Power is under formal agreement of closure of the ash pond and future reclassification following the completion of dredging of CCR materials from the unit.

**Patrick M. Kelly, P.E.**  
Environmental Engineer  
U.S. Environmental Protection Agency  
Office of Solid Waste and Emergency Response  
Phone: (703)308-7271  
[Kelly.PatrickM@epa.gov](mailto:Kelly.PatrickM@epa.gov)

**From:** Dufficy, Craig  
**Sent:** Wednesday, February 26, 2014 8:34 AM  
**To:** Kelly, PatrickM  
**Subject:** Gulf Power Plant Crist- Review of comments to be sent to Betsy

Pat,

Give me your comments/corrections to this letter I will send to Betsy on our recommendation on what to do with Gulf Power Plant Crist-

Betsy,

Patrick and I have reviewed Gulf Power Plant Crist and our comments on the Ash Pond are discussed below.

- 2) The Ash Pond no longer receives ash and is now used as a wastewater treatment pond. The plant is currently dredging the ash out of the pond in coordination with the State of Florida Department of Environmental Protection (FDEP). Once dredging is complete, FDEP will re-classify the pond as a wastewater treatment pond. The ash pond's FOS for liquefaction is okay, but the FOS for steady-state condition at normal pool and rapid drawdown condition from the normal pool loading conditions are 1.4, below our recommended FOS of 1.5. Since the pond is currently being dredged out and is under the supervision of

FDEP, we feel that no additional action is warranted, however, we feel that Gulf Power should keep EPA informed of when FDEP approves the re-classification of the pond.

**Kelly, PatrickM**

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**From:** Kelly, PatrickM  
**Sent:** Wednesday, February 26, 2014 10:01 AM  
**To:** Englander, Jana  
**Cc:** Hoffman, Stephen; Dufficy, Craig  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

As a heads up, I think we're going to be requesting a "formal agreement of closure" letter from FDEP on behalf of Gulf for their Ash Pond. All other units are still in the assessment.

**Patrick M. Kelly, P.E.**  
Environmental Engineer  
U.S. Environmental Protection Agency  
Office of Solid Waste and Emergency Response  
Phone: (703)308-7271  
[Kelly.PatrickM@epa.gov](mailto:Kelly.PatrickM@epa.gov)

**From:** Englander, Jana  
**Sent:** Wednesday, February 26, 2014 9:14 AM  
**To:** Sengupta, Art  
**Cc:** Hoffman, Stephen; Dufficy, Craig; Kelly, PatrickM  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

Yes we have. Their comment package is under review.

**Jana Englander**  
Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

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**From:** Sengupta, Art <[Art.Sengupta@dep.state.fl.us](mailto:Art.Sengupta@dep.state.fl.us)>  
**Sent:** Tuesday, February 25, 2014 4:33 PM  
**To:** Englander, Jana  
**Cc:** Hoffman, Stephen; Dufficy, Craig; Kelly, PatrickM  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

Have you gotten the responses to the report from Gulf Power?

**Art Sengupta. PE, PG, PMP**  
*State Dam Safety Officer*  
*Professional Engineer III*  
*Engineering, Hydrology & Geology Program*  
*Division of Water Resource Management*  
*Florida Department of Environmental Protection*  
2600 Blair Stone Road, MS 3595

*Tallahassee, FL 32399*  
*Phone: 850-245-8491 (office)*  
*850-274-3636 (cell)*  
*Fax: (850) 412-0553*

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**From:** Englander, Jana [<mailto:Englander.Jana@epa.gov>]  
**Sent:** Tuesday, February 25, 2014 3:57 PM  
**To:** Sengupta, Art  
**Cc:** Hoffman, Stephen; Dufficy, Craig; Kelly, PatrickM  
**Subject:** FW: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

Art,

Please download the three reports. Each report has a separate link. They are **ONLY** available **UNTIL MARCH 4, 2014**.

You must download the report from each link below:  
<http://www.hightail.com/download/eINMK0duTkE3bUN2eE1UQw>  
<http://www.hightail.com/download/eINMK0duTkExUUUFkVU1UQw>  
<http://www.hightail.com/download/eINMK0duTkFqY3BvSWNUQw>

Regards,

Jana Englander

**Jana Englander**  
Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

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**From:** Sengupta, Art [<mailto:Art.Sengupta@dep.state.fl.us>]  
**Sent:** Monday, February 24, 2014 10:11 AM  
**To:** Englander, Jana  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Reports

Can you provide me with access to these reports?

*Art Sengupta, PE, PG, PMP*  
*State Dam Safety Officer*  
*Professional Engineer III*  
*Engineering, Hydrology & Geology Program*  
*Division of Water Resource Management*  
*Florida Department of Environmental Protection*  
*2600 Blair Stone Road, MS 3595*  
*Tallahassee, FL 32399*  
*Phone: 850-245-8491 (office)*  
*850-274-3636 (cell)*  
*Fax: (850) 412-0553*

**Kelly, PatrickM**

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**From:** Englander, Jana  
**Sent:** Friday, March 07, 2014 11:21 AM  
**To:** Dufficy, Craig; Kelly, PatrickM  
**Subject:** FW: Comment Request on Coal Ash Site Assessment Round 12 Draft Report – Gulf Power Company –Crist Power Plant

Meant to cc you on this.

**Jana Englander**

Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

**From:** Englander, Jana  
**Sent:** Friday, March 07, 2014 11:20 AM  
**To:** 'Vick, James O.'  
**Cc:** Hoffman, Stephen; mikep@hgslaw.com; 'rmmarkey@southernco.com'  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Report – Gulf Power Company –Crist Power Plant

Hi Jim,

I wanted to make you aware that I left a message with Mike Markey yesterday regarding your comments on the Crist Coal Ash Site Assessment Draft Report. We can only remove the Ash Pond from our program scope if we are able to receive a copy of actual letters that you sent to the state of Florida and the state of Florida responded that indicates closure of that unit has commenced, transitioning the unit to an industrial wastewater treatment pond. If we do not receive this documentation within the next two weeks, we will move ahead with the final report to include the Ash Pond as a coal ash impoundment.

Please contact me if you have any questions regarding this request.

Regards,

Jana

**Jana Englander**

Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

**Kelly, PatrickM**

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**From:** Englander, Jana  
**Sent:** Friday, March 07, 2014 11:27 AM  
**To:** Vick, James O.  
**Cc:** Hoffman, Stephen; Dufficy, Craig; Kelly, PatrickM  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Report – Gulf Power Company –Crist Power Plant

Thanks Jim,

I appreciate it.

Have a good weekend.

Jana

**Jana Englander**  
Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

**From:** Vick, James O. [mailto:JOVICK@southernco.com]  
**Sent:** Friday, March 07, 2014 11:24 AM  
**To:** Englander, Jana  
**Cc:** Hoffman, Stephen; mikep@hgslaw.com; Markey, Richard M.  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Report – Gulf Power Company –Crist Power Plant

Thanks Jana for the update...we will be working with the state to get the appropriate documentation. We will stay in touch with you as this progresses.

Thanks,

Jim

**From:** Englander, Jana [mailto:Englander.Jana@epa.gov]  
**Sent:** Friday, March 07, 2014 10:20 AM  
**To:** Vick, James O.  
**Cc:** Hoffman, Stephen; mikep@hgslaw.com; Markey, Richard M.  
**Subject:** RE: Comment Request on Coal Ash Site Assessment Round 12 Draft Report – Gulf Power Company –Crist Power Plant

The remainder of this email falls with EPA-103



**Kelly, PatrickM**

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**From:** Englander, Jana  
**Sent:** Monday, March 31, 2014 2:55 PM  
**To:** Dufficy, Craig; Kelly, PatrickM; Hoffman, Stephen  
**Subject:** FW: Industrial Wastewater Treatment Pond Letter for Plant Crist  
**Attachments:** Crist Industrial Wastewater Treatment Pond3-31-14.pdf

Guys,

[ Withheld - Exemption 5 ]

Do you all concur?

Jana

**Jana Englander**  
Office of Resource Conservation and Recovery,  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
703-308-8711

**From:** Markey, Richard M. [mailto:RMMARKEY@southernco.com]  
**Sent:** Monday, March 31, 2014 2:46 PM  
**To:** Englander, Jana  
**Cc:** Vick, James O.; Mike Petrovich (MikeP@hgslaw.com)  
**Subject:** Industrial Wastewater Treatment Pond Letter for Plant Crist

Jana:

We are sending a Fed X copy of the attached letter to you tonight. I have email a copy in case the Fed X version does not get to you in a timely manner. The letter includes our original correspondence to the Florida Department of Environmental Protection as well as their response.

Thanks

Richard "Mike" Markey  
Manager of Land & Water Programs  
Gulf Power Company  
One Energy Place  
Pensacola, FL. 32520-0328  
(850) 444-6573 (office)  
(850) 384-7713 (cell)



March 31, 2014

Jana Englander  
Office of Resource Conservation and Recovery  
Materials Recovery Waste Management Division  
Energy Recovery and Waste Disposal Branch  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**RE: Former Ash Pond at Plant Crist**

Dear Ms. Englander:

As mentioned on several phone calls with you in the past, Gulf Power is in the process of completing our dredging the Plant Crist former ash pond to remove the last remaining ash. We have requested that the Florida Department of Environmental Protection (FDEP) acknowledge that the term "ash pond" will no longer be appropriate or applicable upon completion of the historical ash removal.

We have included both Gulf Power's letter to FDEP dated March 24, 2014 as well as FDEP's response back to Gulf dated March 28<sup>th</sup>. In the Department's letter, they acknowledge that with the cessation of coal ash storage, calling the pond and ash pond is not appropriate and the pond description will be updated in a permit revision or permit renewal, whichever occurs first.

If you should have any questions please feel free to call me (850) 444-6311 or Mike Markey of my staff at (850) 444-6573.

Sincerely,

A handwritten signature in cursive script that reads "James O. Vick".

James O. Vick  
Director of Environmental Affairs

Cc: Jora Maxwell  
Mike Markey  
Terry Wright  
Kevin Beaty  
Robert Jernigan



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**  
BOB MARTINEZ CENTER  
2600 BLAIRSTONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

Sent by E-mail to:  
([rmmarkey@southernco.com](mailto:rmmarkey@southernco.com))

March 28, 2014

Richard "Mike" Markey  
Manager, Land and Water Programs  
One Energy Place  
Pensacola, Florida 32520

Re: Gulf Power Company  
Crist Electric Generating Plant  
NPDES Permit No. FL0002275  
Pond Ash Removal

Dear Mr. Markey:

The Florida Department of Environmental Protection (Department) acknowledges receipt of Gulf Power's letter dated March 24, 2014, regarding the removal of historical ash from the ash pond at Plant Crist. The Department recognizes that with the cessation of coal ash storage and treatment in the pond the term "ash pond" would no longer be appropriate. Please notify both the Department's Industrial Wastewater Program and the Northwest District Office upon completing the removal of the historical ash from the pond.

The pond description in the above referenced NPDES permit will be updated to reflect the use of the pond during the following permit revision or renewal, whichever occurs first. Please note that the monitoring requirements for the pond remain in effect.

Please contact me at (850) 245-8590 if you have any questions concerning our comments.

Sincerely,

Marc Harris, P.E.  
Environmental Administrator  
Industrial Wastewater Program  
Division of Water Resource Management

cc: Jim Vick, GPC ([jovick@southernco.com](mailto:jovick@southernco.com))  
Richard Tedder, P.E., DEP Solid Waste Tallahassee ([richard.tedder@dep.state.fl.us](mailto:richard.tedder@dep.state.fl.us))  
Dawn Templin, P.E., DEP Solid Waste Pensacola ([dawn.templin@dep.state.fl.us](mailto:dawn.templin@dep.state.fl.us))  
Kim Allen, DEP Pensacola ([kim.allen@dep.state.fl.us](mailto:kim.allen@dep.state.fl.us))



March 24, 2014

Mr. Marc Harris, P.E.  
Environmental Administrator  
Power Plant NPDES Permitting  
Industrial Wastewater Section  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS 3545  
Tallahassee, FL 32399-2400

**RE: Plant Crist Former Ash Pond NPDES Permit No. FL0002275**

Dear Mr. Harris:

As previously discussed with the Department, Gulf Power's Plant Crist is in the process of completing the dredging of its former Ash Pond to remove the last remaining historical ash. The dredged ash is being stored in Plant Crist's onsite FDEP approved ash landfill.

Plant Crist stores fly ash and bottom ash dry in our FDEP approved and permitted landfill at the plant. The applicable wet fly ash lines have been removed. Subsequent to the historical ash removal, the term "ash pond" is no longer appropriate.

The former ash pond is no longer used for the active storage and treatment of ash and therefore should be removed from the Department's database of ash ponds. To identify the conditions onsite, attached Figure 1 illustrates current operations at Plant Crist, along with renaming the former Ash Pond as "Industrial Wastewater Treatment Pond No. 1."

Also discussed was the need for the pond to remain in place so Plant Crist can continue to treat storm water, low volume wastewater, cooling tower blow down, and other applicable plant process waters. We would appreciate the Department's acknowledgement of this change.

If you should have any questions regarding this information please feel free to give me a call at (850) 384-7713

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Markey".

Richard "Mike" Markey  
Manager of Land & Water Programs

Cc: Gulf Power

Jim Vick

Terry Wright

Jora Maxwell

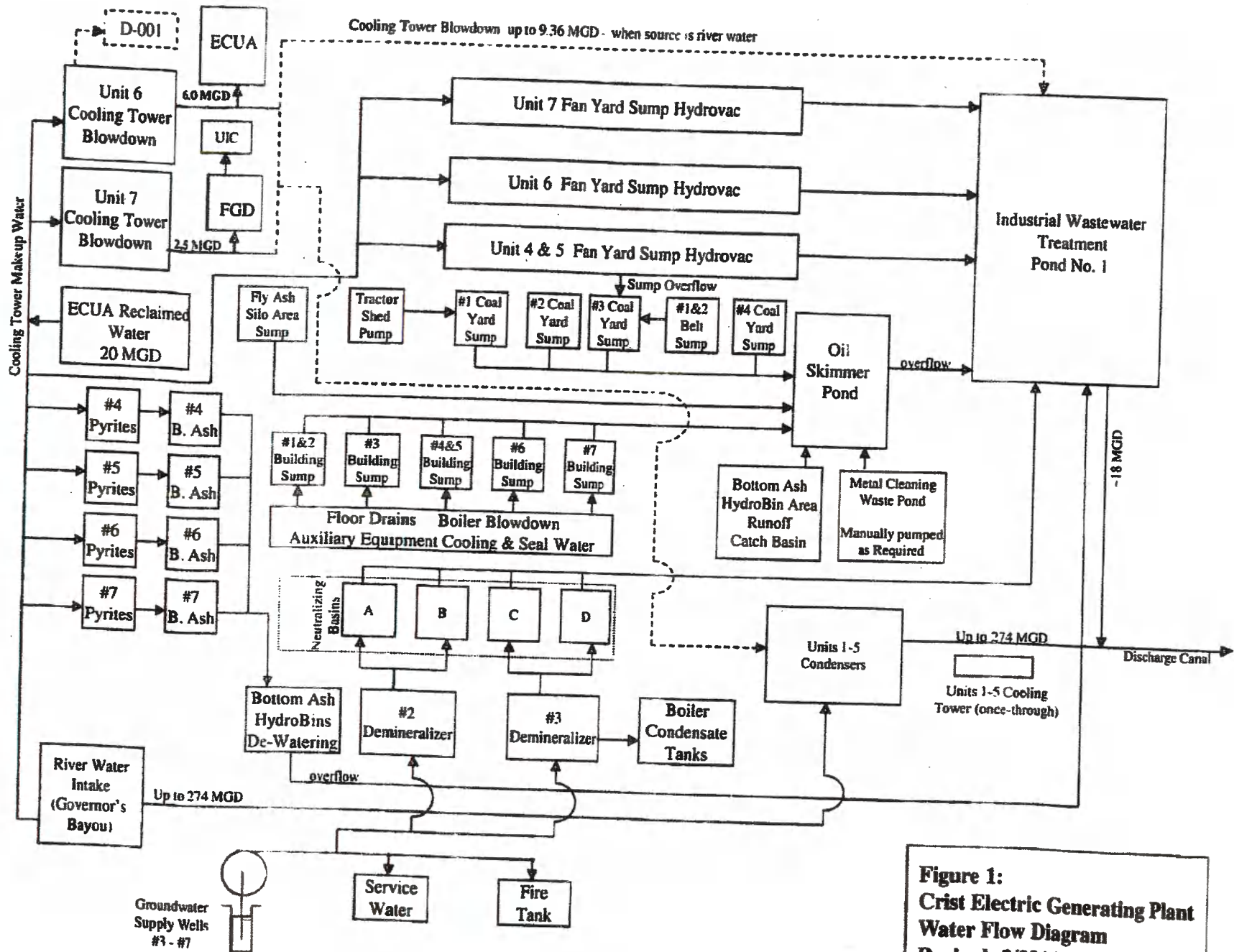
Robert Jernigan

FDEP

Elsa Potts

Dawn Templin

Kim Allen



**Kelly, PatrickM**

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**From:** Kelly, PatrickM  
**Sent:** Thursday, May 29, 2014 4:42 PM  
**To:** Hoffman, Stephen; Englander, Jana; Dufficy, Craig  
**Subject:** RE: Crist review

[ **Withheld - Exemption 5** ]

Looks like there are a number of x-sections at Ash Pond that are under for steady state, rapid drawdown [ **Ex. 5** ], and liquefaction.

**Patrick M. Kelly, P.E.**  
Environmental Engineer  
U.S. Environmental Protection Agency  
Office of Solid Waste and Emergency Response  
Phone: (703)308-7271  
[Kelly.PatrickM@epa.gov](mailto:Kelly.PatrickM@epa.gov)

**From:** Hoffman, Stephen  
**Sent:** Thursday, May 29, 2014 3:46 PM  
**To:** Englander, Jana; Dufficy, Craig; Kelly, PatrickM  
**Subject:** Crist review

The report states that since the company ceased disposing CCRs into the ash pond, it would not receive a condition or hazard rating. However the report does include extensive static and seismic analysis of the pond and it shows that FOS are not met. [ **Withheld - Exemption 5**

on this--. Did this come up in comments from the utility?? ] Where do we sit

Please check the FOS chart found at 7.3 Do we have a problem at the ash pond.

Other than this the report is OK.



Englander, Jana

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**From:** Englander, Jana  
**Sent:** Monday, June 02, 2014 5:37 PM  
**To:** Friers, Bill  
**Cc:** Hoffman, Stephen  
**Subject:** Gulf Crist

Bill,

I started a review of Gulf Crist. I ran into problems with various contradictory statements (see comments below), that I did not do a thorough line by line review throughout the report. I would very much appreciate it if you could correct the problems found in the comments below, then read the report through thoroughly before resending another version.

If you have problems with this request, we can discuss it on tomorrow's conference call.

Jana

**EPA Comments:**

[ Not responsive to FOIA request ]

- **Section 1.3.1** should move the discussion of the Ash Pond to the end of the section, following after the units that are within program scope. It should also state that although this pond does not meet the criteria for our assessment program, structural stability analyses was conducted and results provided. The results of these analyses and conclusions from our site visit observations are presented here for informational purposes only.
- **Section 1.3.1** should be clear that the hazard rating is for the specific ponds within scope. Currently it does not make clear that the ash pond is not a part of this paragraph.
- **Section 1.3.2** should provide recommendations to be clear as to which impoundments those recommendations address. The Ash Pond will not be included in this section.

[

Not responsive to FOIA request

]

- **Section 7** should move the discussions of the Ash Pond to the end of each sub-section, following after the units that are within program scope.
- **Section 7.3**, third bullet addressing liquefaction analysis, should be clear as to which ponds this addresses. Section 1.3.1 indicated that these analyses proved potential for liquefaction for ash pond.
- The ash pond **checklist sheets** should follow that of the others, should remove the hazard potential classification from the first page and the hazard potential classification page.



Kelly, PatrickM

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**From:** Hoffman, Stephen  
**Sent:** Thursday, July 10, 2014 1:52 PM  
**To:** Englander, Jana; Dufficy, Craig; Kelly, PatrickM  
**Subject:** Crist comments

[ Withheld - Exemption 5 ]  
[ ]

Rest of the ponds: Gypsum storage, process sedimentation and process return ponds all meet both static and seismic FOS. [ Withheld - Ex. 5 ]

Recommendations are OK.